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FOR COURT USE

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*Attorneys for Plaintiff*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DANIEL DONOHUE, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 5:11-cv-05337 RMW

**CLASS ACTION**

**JOINT STIPULATION FOR  
EXTENSION OF TIME TO FILE  
AMENDED COMPLAINT; [~~PROPOSED~~]  
ORDER**

**[N.D. CAL. CIVIL LR 6-2]**

Judge: Hon. Ronald M. Whyte  
Complaint Filed: November 3, 2011  
Trial Date: None

1 Pursuant to Northern District Local Rules 6-1(b) and 6-2(a), Plaintiff and defendant Apple  
2 Inc. ("Apple"), by and through their respective counsel, hereby stipulate as follows:

3 WHEREAS, on May 10, 2012, the Court entered an order granting Apple's motion to  
4 dismiss, and ordering Plaintiff to file a Second Amended Complaint ("SAC") on or before June  
5 11, 2012;

6 WHEREAS, the parties have met and conferred, and have agreed to extend Plaintiff's  
7 time to file the SAC due to Plaintiff's counsel's previously-scheduled and conflicting work and  
8 personal commitments (*See* Declaration of Ilan Chorowsky ("Chorowsky Decl."), filed  
9 concurrently herewith, ¶ 3);

10 WHEREAS, the parties also conferred and agreed to extend Apple's time to plead or  
11 otherwise respond to the SAC (Chorowsky Decl. ¶ 4);

12 WHEREAS, this is the first stipulation and request to extend time related to the SAC, and  
13 will not otherwise effect or alter any deadline set by this Court; (Chorowsky Decl. ¶¶ 5, 6);

14 NOW THEREFORE, the parties stipulate as follows:

- 15 1. Plaintiff's time to file the SAC is extended to and including July 11, 2012.
- 16 2. Apple's time to plead or otherwise respond to the SAC is extended to and  
17 including August 1, 2012.
- 18 3. Plaintiff's opposition to any threshold motions responding to the SAC shall be  
19 filed on or before August 22, 2012.
- 20 4. Apple's reply brief shall be filed on or before September 12, 2012.
- 21 5. A hearing on Apple's threshold motions, if any, shall be set for October 5, 2012 at  
22 9:00 a.m.
- 23 6. Apple is not obligated to answer the SAC until after the Court rules on any  
24 threshold motions.

25 ///

1 Dated: June 1, 2012

PENELOPE A. PREVOLOS  
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SUZANNA P. BRICKMAN  
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4 By: /s/ Penelope A. Prevolos  
Penelope A. Prevolos

*Attorneys for Defendant*  
APPLE INC.

7 Dated: June 1, 2012

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13 By: /s/ Alex Stepick  
Alex Stepick

15 *Attorneys for Plaintiff*  
DANIEL DONOHUE

17 **~~PROPOSED~~ ORDER**

18 **Pursuant to Stipulation, IT IS SO ORDERED.**

20 Dated: June 1, 2012



21 Honorable Ronald Whyte